



Governor Kim Reynolds
Lt. Governor Adam Gregg
San Wong, Director

Sex Offender Research Council Minutes of Regular Meeting

**Iowa State Capitol
1007 E. Grand Avenue, Legislative Dining Room
Des Moines, IA**

October 30, 2018

Present: Jerry Bartruff; Bret Braafhart; Tiffany Conroy; Clint Frederiksen*; Janelle Melohn; Andrea Muelhaupt; Tim Ross*; Kurt Swaim; Tony Tatman; Kerri True-Funk; John Werden; Daniel Zeno; *Ex-officio:* Sen. Tom Shipley; Rep. Mary Lynn Wolfe*

Staff: Steve Michael; Sarah Fineran; Julie Rinker; Lanette Watson

Others: Tom Ashworth; Cathy Engel; Bill Freeland
*by phone

I. Call to Order, Welcome, and Introductions

Steve Michael, Chair, called the meeting to order at 10:00 am. A quorum was present. Introductions were made.

Michael reviewed changes within CJJP related to justice analyst positions. Sarah Fineran has accepted the position as research coordinator. Her former position is vacant and is in progress to be filled.

CJJP has received a grant from the Bureau of Justice Assistance. The grant provides for the continuation to conduct an outcome analysis for the Department of Corrections recidivism reduction project; finalize the juvenile justice decision making matrix; and identify factors relating to an increase in violent crime in rural Iowa.

II. Approval of Minutes – October 25, 2017

Jerry Bartruff moved to approve the minutes from October 2017, seconded by Daniel Zeno. The motion was unanimously approved.

III. Review Annual Report

Sarah Fineran reviewed the annual report and noted changes in format. Instead of an individual research project, the new format reviews introduced legislation; follows legislation enacted during the past ten years; and reviews data trends.

Fineran reported on the following introduced FY2018 legislation that was not passed:

- HSB555 Accumulation of Earned-Time
- HSB618 Sexual Misconduct with Offenders
- SF335 Death Penalty
- HF163 Sex Offender Registration

The following was discussed:

- Swaim and Wolfe reported that portions of HSB555 were incorporated into appropriations and standings bills.
- Rep. Wolfe requested more information regarding some of the data tables. She noted that FY17 showed 10 Felony A convictions, but only 1 new admit to prison for that time period. Fineran offered to review the data.
- Wolfe also asked for a review of the number of offenders who were revoked to prison based on technical violations rather than re-offenses. Fineran noted a CJJP analysis conducted in 2014 on the special sentence that found a low number of re-offense rates for sex offenders and that annual supervision costs were over \$5.6 million at that time. She offered to share that report.
- John Werden requested the data be separated by the life sentence compared to the 10-year special sentence. He would like to know recidivism for those offenders.

“Section II. Summary of Historically Enacted Sex Offense Legislation” contained the following legislation. Discussion is noted accordingly:

- *HF526; Iowa Code §708.7 Harassment – Invasion of Privacy, Distribution of Materials*

Daniel Zeno noted that “HF526 removed “knowingly” or knowledge of the distribution of sexually explicit materials without consent. He added that, although the projected annual increase in aggravated misdemeanor convictions was 15, the actual increase was 43 which was more than 180%. He requested the data be tracked by both adults and minors.

Fineran responded that the data was based on adult offenders, but offered to provide information on juvenile offenders.

Fineran also noted that changes in the number of sex offenders and/or sex offenses could not be attributed to one piece of legislation, but collectively.

- *HF2278; Iowa Code §710, 710 – Human Trafficking and Kidnapping*
- *SF2311; Iowa Code §710A.2 – Human Trafficking*
- *HF2474; Iowa Code §709.15 – School Related Sex Abuse*
- *HF2390; Iowa Code §728.12(3), 710A, 710A.2A – Obscene Material, Commercial Sexual Activity, and Human Trafficking*
- *HF2438; Iowa Code §710.10(3), 710.10(4) – Enticing or Attempting to Entice a Minor*
- *SF27; 710A.1 Human Trafficking and Protections of Minors*

Other Discussion:

- Wolfe noted that Tables 1 and 2 are based on charges and convictions compared to prison admissions. She would like to know the number of individual offenders.
- Michael reported that Tony Tatman has asked CJJP to evaluate the “Good Lives” model. Michael suggested combining a focus on the model, current law, and other related issues to provide guidance on future policy.
- Wolfe noted the difficulty in being granted an early discharge from the special sentence and/or removal from the sex offender registry. She would like to know the number of individuals that were granted a discharge.
- Andrea Muelhaupt reported that the Department of Corrections created a policy for supervising officers to notify the Board of Parole when an individual should receive an early discharge or be removed from the lifetime special sentence. To date, four have been submitted and three successfully removed from lifetime supervision. Wolfe asked that information on the removal process be included in the report.

There was no further discussion. Michael noted the report is due January 15. He suggested approval of the report with the above additions and corrections. Prior to the due date, staff will share the final version for review, revision if necessary, and approval.

Swaim moved to approve the above process, seconded by Muelhaupt. The motion was unanimously approved.

IV. Proposal to Merge Criminal & Juvenile Justice Planning Advisory Council (CJJPAC)/ Public Safety Advisory Board (PSAB) and Sex Offender Research Council (SORC)

Steve Michael noted conversations by the Criminal and Juvenile Justice Planning Advisory Council (CJJPAC) and an Ad Hoc Subcommittee that represented both the CJJPAC and this Sex Offender Research Council. A draft of the proposed legislation was provided in the meeting packet. Michael stated the intent is to reduce the number of reports, yet continue the current focus of the individual councils. There is some overlap between the three groups with regard to state agency representation. The entities currently represented would remain and all topics and areas of expertise would be incorporated into the merged board. He thought the merger would eliminate two reports and save staff time. It would require a legislative change. He asked for comments.

- Zeno asked about the current 20-year report requirement. Michael noted the difficulty in forecasting 20 years. He thought a three-year report was more realistic and falls in line with federal reporting requirements for juvenile justice. He would like input to identify focus areas for a three-year plan.
- Zeno also noted that the proposed legislation removes language related to long-term goals. He suggested long-term goals remain in the three-year plan.
- John Werden noted concerns regarding gender and bipartisan balance requirements. Zeno noted that this is a requirement under Iowa Code and that the ACLU would oppose any change to this.
- Tony Tatman suggested the membership include a representative from the

Department of Correctional Services. Jerry Bartruff agreed.

- Zeno asked if more frequent meetings would be held in order to cover the number of issues required to be addressed. Michael anticipated quarterly meetings, however, the matter would be determined by the new, merged council.
- Janelle Melohn noted concerns that expertise could be lost depending on individuals chosen to represent agencies. Michael responded that the group would have the authority to invite experts to attend meetings.

Michael noted that if approved by the governor's office and this council, the legislation would be pre-filed by the end of November and tracked through the legislative process.

Kurt Swaim moved to have staff pre-file the legislation with the above changes by the end of November, seconded by Bartruff. The motion was unanimously approved.

V. Youthful Sex Offender Treatment Project – 8th Judicial District

Fineran reported that CJJP is conducting an evaluation for the Department of Corrections (DOC). The DOC was awarded a grant to evaluate a youthful sex offender treatment program in Burlington (8th Judicial District). The program provides a variety of services for youthful sex offenders aged 18-24—employment assistance, educational assistance, and can also provide assistance with transportation and housing. The program includes a probation/parole officer, therapist specialized in interpersonal victimization, and curriculum through the “Good Lives” model.

CJJP will perform a process and outcomes evaluation on services offered, staff, experience, curriculum, recidivism, and reasons for revocations (risky behavior or supervision-related measures).

VI. Identify Issues for Future Study Discussion

There were no additional issues recommended.

VII. Public Comment

There was no public comment.

VIII. Adjournment

The meeting adjourned at 11:10 a.m.

Respectfully submitted,

Julie Rinker
Administrative Secretary
Div. of Criminal & Juvenile Justice Planning
Iowa Department of Human Rights